

SEP 23 2010

PATENT  
APPLICATION NO. 10/566,007**REMARKS/ARGUMENTS**

Original claims 121-129 and 132-153 remain in the application.

Claims 131-139 have been indicated as allowable by the Examiner.

Claims 130, 131 and 154-157 were canceled without prejudice in this paper.

Claims 121 -157 have been rejected in this Office Action.

**Response to the Office Action**

The Examiner has rejected claim 121 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,282,944. In response to the Examiner's rejection, applicants have filed herein a terminal disclaimer as required by the Examiner.

The Examiner has also indicated that claims 131-139 include patentable subject matter that defines over the cited art. Applicants have amended claim 121 herein to include the limitations of claims 130 and 131. Claim 121 is now believed to define over the cited art and in condition for allowance. Further, M.P.E.P 2143.03, states "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)". Therefore, claims 122-129 and 132-153 depending from claim 121 are also deemed to be allowable over the cited art.

The Examiner has rejected claims 154-155 under 35 U.S.C. § 103(a) as being unpatentable over Kline (U.S. 6,933,835).

Claims 154 and 155 have been canceled without prejudice in this response.

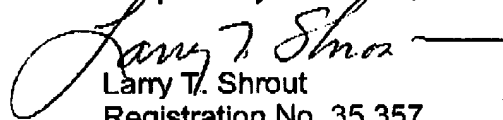
The Examiner has rejected claims 156-157 under 35 U.S.C. § 102(b) as being anticipated by Whyte et al. (U.S. 4,142,178).

Claims 156 and 157 have been canceled without prejudice in this response.

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In response to the Final Office Action dated June 23, 2010, Applicants have provided herein a terminal disclaimer to overcome the Examiner's obvious-double patenting rejection of claim 121 and an amendment to claim 121 adding the allowable subject matter of claim 131 as suggested by the Examiner. Claims 130, 131 and 154-157 have been canceled without prejudice. It is believed that the above-identified patent application defines over the cited art and is now in a condition for allowance. Applicants respectfully request that the Examiner reconsider the objection and rejections based on these arguments and issue a Notice of Allowance.

Respectfully submitted,

  
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